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01/04/02
U.S. PTO

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PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 1247/A63

First Inventor Arthur C. McKinney

Title High-Availability Super Server

Express Mail Label No. EL603031555US

11326 U.S.P.T.O.
01/04/02**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

- Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
- Applicant claims small entity status.
See 37 CFR 1.27.
- Specification [Total Pages 32]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings *(if filed)*
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
- Drawing(s) (35 U.S.C. 113) [Total Sheets 9]
- Oath or Declaration [Total Pages 12]
 - a. Newly executed (original or copy)
 - b. Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 18 completed)
 - i. **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
- Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission *(if applicable, all necessary)*
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. paper
 - c. Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & document(s))
10. 37 CFR 3.73(b) Statement Power of *(when there is an assignee)* Attorney
11. English Translation Document *(if applicable)*
12. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations
13. Preliminary Amendment
14. Return Receipt Postcard (MPEP 503) *(Should be specifically itemized)*
15. Certified Copy of Priority Document(s) *(if foreign priority is claimed)*
16. Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation Divisional Continuation-in-part (CIP)

of prior application No. 08 / 802,827

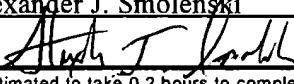
Prior application information:

Examiner Tran, D.

Group Art Unit: 2752

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.19. **MAILING ADDRESS** Customer Number or Bar Code Label 02171 or Correspondence address below*Please print or type. Insert Customer No. or Bar Code Label here.*

Name			
Address			
City	State	Zip Code	
Country	Telephone	Fax	

Name (Print/Type)	Alexander J. Smolenski	Registration No. (Attorney/Agent)	47,953
Signature		Date	January 4, 2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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FEE TRANSMITTAL

for FY 2000

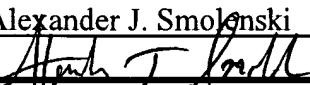
Patent fees are subject to annual revision.

Small Entity payments must be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12.
See 37 C.F.R. §§ 1.27 and 1.28.

TOTAL AMOUNT OF PAYMENT (\$ 824.00)

		Complete if Known			
		Application Number			
		Filing Date		January 4, 2002	
		First Named Inventor		Arthur C. McKinney	
		Examiner Name			
		Group / Art Unit			
		Attorney Docket No.		1247/A63	

METHOD OF PAYMENT (check one)		FEE CALCULATION (continued)						
1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:		3. ADDITIONAL FEES Large Entity Small Entity Fee Fee Fee Fee Fee Description Fee Paid Code (\$) Code (\$) Code (\$) Code (\$)						
Deposit Account Number <input type="text"/> Deposit Account Name <input type="text"/> <input type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17		105	130	205	65	Surcharge - late filing fee or oath		Fee Paid 0.00
		127	50	227	25	Surcharge - late provisional filing fee or cover sheet.		0.00
		139	130	139	130	Non-English specification		0.00
		147	2,520	147	2,520	For filing a request for reexamination		0.00
2. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other		112	920*	112	920*	Requesting publication of SIR prior to Examiner action		0.00
		113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action		0.00
		115	110	215	55	Extension for reply within first month		0.00
		116	380	216	190	Extension for reply within second month		0.00
		117	870	217	435	Extension for reply within third month		0.00
		118	1,360	218	680	Extension for reply within fourth month		0.00
		128	1,850	228	925	Extension for reply within fifth month		0.00
		119	300	219	150	Notice of Appeal		0.00
		120	300	220	150	Filing a brief in support of an appeal		0.00
		121	260	221	130	Request for oral hearing		0.00
		138	1,510	138	1,510	Petition to institute a public use proceeding		0.00
		140	110	240	55	Petition to revive - unavoidable		0.00
		141	1,210	241	605	Petition to revive - unintentional		0.00
		142	1,210	242	605	Utility issue fee (or reissue)		0.00
		143	430	243	215	Design issue fee		0.00
		144	580	244	290	Plant issue fee		0.00
		122	130	122	130	Petitions to the Commissioner		0.00
		123	50	123	50	Petitions related to provisional applications		0.00
		126	240	126	240	Submission of Information Disclosure Stmt		0.00
		581	40	581	40	Recording each patent assignment per property (times number of properties)		0.00
		146	690	246	345	Filing a submission after final rejection (37 CFR § 1.129(a))		0.00
		149	690	249	345	For each additional invention to be examined (37 CFR § 1.129(b))		0.00
		Other fee (specify) _____						0.00
		Other fee (specify) _____						0.00
SUBTOTAL (1) (\$ 740.00)		SUBTOTAL (3) (\$ 0.00)						
* Reduced by Basic Filing Fee Paid								

SUBMITTED BY		Complete if applicable		
Name (Print/Type)	Alexander J. Smolenski	Registration No. (Attorney/Agent)	47,953	Telephone 617-443-9292
Signature		Date	1/4/2002	

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: McKinney et al.

Application No.:

Filed: 01/04/2002

For: High-Availability Super Server

Group No.:

Examiner:

Commissioner for Patents
Washington, D.C. 20231

EXPRESS MAIL CERTIFICATE

"Express Mail" label number EL603031555US

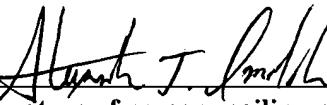
Date of Deposit 01/04/2002

I hereby state that the following *attached* paper or fee

Utility Patent Application Transmittal and enclosures referred to therein

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. section 1.10, on the date indicated above and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Alexander J. Smolenski



Signature of person mailing paper or fee